Sexual Assault Prevention and Response Program (SAPRP)

GPRMC SAPRP

- First Responder Training for Healthcare Providers

Terminal Learning Objective

- To provide all healthcare personnel assigned to the MTF with initial training on the following essential tasks:
  - Sexual Assault Response Policies (DoD Policies, DA Policies, DoD Confidentiality Policy Rules and Limitations)
  - Victim Advocacy Resources
  - Medical Treatment Resources
  - Sexual Assault Victim Interview
  - Sexual Assault Examination Process

Outline

- 1. First Responders and Training Requirements
- 2. Sexual Assault Response Policies
- 3. Victim Advocacy Resources
- 4. Medical Treatment Resources
- 5. Sexual Assault Victim Presentation
- 6. Sexual Assault Examination Process
- 7. Role of the Sexual Assault Clinical Provider
- 8. Role of the Sexual Assault Care Coordinator
- 9. Role of the Victim Advocate
- 10.Additional Resources

Part One

First Responders and Training Requirements

BLUF for First Responders

- ***Everyone*** in the facility needs to know . . .
  - . . .about **Restricted Reporting**!
  - . . .**who to call** in the event someone alleges a sexual assault!
  - . . .**how to keep from violating a beneficiary's right** to Restricted Reporting!

First Responders include…

- Sexual Assault Response Coordinators (SARCs)
- Victim Advocates (VAs)
- **Healthcare Providers (HCPs), including**
  - Sexual Assault Care Coordinators (SACCs)
  - Sexual Assault Clinical Providers (SACPs)
- Law Enforcement
- Military Criminal Investigation Officials (MCIOs)
- Judge Advocates
- Chaplains

DoDI 6495.02, June 23, 2006

Definition

- Healthcare Provider (HCP)
  - ". . . Those individuals who are employed or assigned as healthcare professionals, or are credentialed to provide health care services, at a military medical or military dental treatment facility, or who provide such care at a deployed location or in an official capacity. This term also include military personnel, DoD civilian employees, and DoD contractors who provide health care at an occupational health clinic for DoD civilian employees or DoD contractor personnel."

DoDD 6495.01, October 6, 2005

First Responders

- Healthcare Provider First Responders:
  - 2 categories:
    - All healthcare personnel assigned to the MTF
    - Healthcare providers performing sexual assault forensic exam (SAFE) in MTF

GPRMC Definition

- A Medical First Responder is *anyone* who lays hands on patients!

First Responders

- “. . .all DoD sexual assault first responders shall receive the same baseline training.”

DoDI 6495.02, June 23, 2006

Part Two

Sexual Assault Response Policies

Sexual Assault Response Policies

- References:
  - Department of Defense Directive (DoDD) 6495.01, October 6, 2005
  - Department of Defense Instruction (DoDI) 6495.02, June 23, 2006
  - Army Regulation 600-20, Chapter 8 and Appendix I, 7 June 2006

Sexual Assault Response Policies

- References:
  - MEDCOM Reg 40-36, 23 December 2004
  - GPRMC Sexual Assault Prevention and Response Program memorandum, 15 September 2006 (access Intranet and click on “Policies” under “Equal Opportunity”)

Sexual Assault Response Policies

- DoDI 6495.02 dated June 23, 2006 applies to:
  - Active Duty as well as “National Guard and Reserve members who are sexually assaulted when performing active service and inactive duty training. . .”
  - “. . .any person who is the victim of a sexual assault, and is eligible to receive treatment in military medical treatment facilities (MTFs)”

DoD Directive 6495.01

- Provide immediate, trained response capability for each report of sexual assault in all locations
  - Includes deployed locations
- Ensure victims of sexual assault are
  - Protected
  - Treated with dignity and respect
  - Receive timely access to appropriate treatment and services

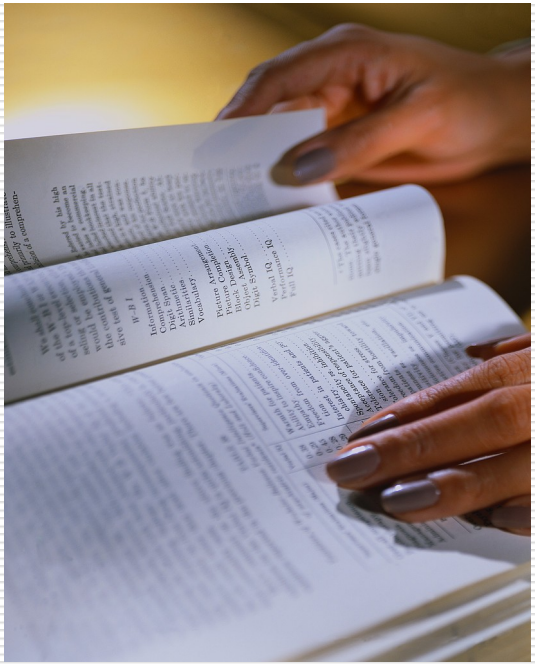
DoD Instruction 6495.02

- DoDI 6495.02 provides an option for ***any beneficiary*** to exercise ***restricted reporting*** where allowable by state/local law

DoD Directive 6495.01

- Encourage complete, *unrestricted* reporting of sexual assaults
- Provide a *restricted* reporting option
  - Allows beneficiary who is sexually assaulted to **confidentially** disclose details of assault to specified individuals
  - Receive medical treatment, counseling, and advocacy
  - **Does not** automatically trigger official investigative process (where allowable by state/local law)

Army Policy on Sexual Assault



- AR 600-20, Chapter 8
  - 7 June 2006

Army SAPRP

- Goal related to *Response:*
  - Ensure sensitive and comprehensive treatment to restore victims' health and well-being
    - AR 600-20, Ch. 8

Army SAPRP

- Policies related to *Response:*
  - The Army will
    - Promote sensitive handling of victims of sexual assault
    - Offer victim assistance and counseling
    - Treat all victims of sexual assault with dignity, fairness, and respect
    - Treat every reported sexual assault incident seriously by following proper guidelines
    - Information and circumstances of allegations will be disclosed on need-to-know basis only

AR 600-20, Ch. 8

DoD Confidentiality Rules

- ***Unrestricted reporting***
  - Process used by patient to disclose that he/she has been victim of sexual assault
    - Patient does not request confidentiality (Restricted reporting)
    - Victim's report may be provided to healthcare providers, SARC, a VA, command authorities, or other persons
    - Triggers official investigation

DoD Confidentiality Rules

- ***Restricted*** (Confidential) reporting
  - Allows ***DoD beneficiary*** to report or disclose to *specified officials* that he/she has been victim of sexual assault
  - Gives beneficiary access to medical care, counseling, and victim advocacy
  - **Does not** allow *specified officials* to automatically report incident to law enforcement or to initiate official investigation (where allowable by state/local law)

DoD Confidentiality Rules

- ***Restricted*** (Confidential) reporting
  - "Specified officials" are:
    - Sexual Assault Response Coordinator (SARC)
    - Victim Advocate (VA)
    - Healthcare provider (HCP), including
      - Sexual Assault Care Coordinator (SACC)
      - Sexual Assault Care Provider (SACP)
    - Chaplain

DoD Confidentiality Rules

- ***Restricted*** (Confidential) reporting
  - HCP initiates appropriate care and treatment
  - HCP reports sexual assault to SARC (instead of reporting to law enforcement or command)
  - HCP may **not** disclose covered communications to law enforcement or command authorities, within or outside DoD, with **exceptions** (see following slides)

Definition

- Covered Communication
  - “Verbal, written, or electronic communications of personally identifiable information concerning a sexual assault victim or alleged assailant provided by the victim to the Sexual Assault Response Coordinator (SARC), Victim Advocate (VA), or healthcare provider related to his or her sexual assault.”

DoDD 6495.01, October 6, 2005

Exceptions to Confidentiality & Restricted Reporting

- “In cases where victims elect restricted reporting, the prohibition on disclosing covered communications to the persons or entities as indicated will be suspended for the following reasons:”
  - See DoDD 6495.01 (October 6, 2005), Enclosure 3

Exceptions to Confidentiality & Restricted Reporting

- Command officials or law enforcement when disclosure is authorized by victim in writing
  - *Exception to restricted reporting occurs when the victim consents to such in writing*

Exceptions to Confidentiality & Restricted Reporting

- Command officials or law enforcement when disclosure is necessary to prevent or lessen a serious and imminent threat to health or safety of victim or another person
  - *Exception to restricted reporting occurs when the health or safety of the victim or others is at risk*

Exceptions to Confidentiality & Restricted Reporting

- Disability Retirement Boards and officials when disclosure by HCP is required for fitness for duty for disability retirement determinations, limited to only the information needed to process disability retirement determination
  - *Exception to restricted reporting occurs when information is needed for fitness for duty determination/disability*

Exceptions to Confidentiality & Restricted Reporting

- The SARC, VA or HCP when disclosure is required for supervision and/or coordination of direct victim treatment or services
  - *Exception to restricted reporting occurs when SARC, victim advocate, or Healthcare provider needs information to adequately supervise direct victim services*

Exceptions to Confidentiality & Restricted Reporting

- Military or civilian courts of competent jurisdiction when disclosure is ordered by a military, Federal, or State judge, or other officials or entities as required by a Federal or State statute or applicable U.S. international agreement.
  - *Exception to restricted reporting occurs when disclosure to military or civilian courts is ordered by law*

Exceptions to Confidentiality & Restricted Reporting

- "When SAFE (Sexual Assault Forensic Exam) is performed at local civilian medical facilities, those facilities are bound by State and local laws, which may require reporting the sexual assault. The victim will acknowledge, in writing, his or her understanding of restricted reporting, the exceptions to, and limitations on, restricted reporting."

DoDD 6495.01, October 6, 2005

Limitations to Restricted Reporting

- Victim's assailant remains at-large
- Victim cannot receive a military protective order (MPO)
- Victim might continue to have contact with the assailant
- Evidence from crime scene might be lost
- Victim cannot discuss the assault with other service members

Part Three

Victim Advocacy Resources

Victim Advocacy Resources

- DD Form 2909 (June 2006)
  - Victim Advocate and Supervisor Statements of Understanding
- DD form 2910 (June 2006)
  - Victim Reporting Preference Statement
- Forms available at:

  http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm

Victim Advocacy Resources

- Victim Advocate Sexual Assault Response Protocols Checklist
  - Assists VA to navigate the demands placed upon them once a sexual assault is reported
  - Assures victim is provided appropriate medical treatment, advocacy support, and referral information
  - Found as Attachment 1 to Enclosure 10 of DoDI 6495.02

Victim Advocacy Resources

- Local resources
  - Sexual Assault Response Coordinator
  - Installation Sexual Assault Helpline
  - MTF Emergency Room
  - Rape Crisis Center
  - MTF and/or Community Behavioral Health/Counseling
  - Criminal Investigation Division (CID)
  - Victim Witness Liaison (SJA)
  - Force Protection (MP)
  - Duty Chaplain
  - Military One Source (1-800-342-9647)

Part Four

Medical Treatment Resources

Medical Treatment Resources

- MEDCOM Reg 40-36 (23 Dec 04)
  - Medical Facility Management of Sexual Assault
    - Provides guidance on how to conduct the forensic history and forensic exam
    - Includes MEDCOM forms for documentation

Medical Treatment Resources

- CDC Sexually Transmitted Diseases Treatment Guidelines 2006
  - Available at: http://www.cdc.gov/STD/treatment/2006/toc.htm
    - **See “Clinical Prevention Guidance” for guidance on post-exposure prevention of pregnancy (emergency contraception- EC); follow links for more specific information on EC**
    - **See “Sexual Assault and STDs” for guidance on postexposure prophylaxis (PEP) for HIV and other STDs**

Medical Treatment Resources

- DoDI 6495.02, June 23, 2006
  - Sexual Assault Prevention and Response Program Procedures
  - DD Form 2911 (Jun 2006) located at Enclosure 14 – Forensic Medical Report Sexual Assault Examination. Also available at: http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm

Part Five

Sexual Assault Victim Interview

Sexual Assault Victim Presentation

- Appendix G of AR 600-20: "Actions to be taken in the event of receiving a report of sexual assault"
- All healthcare first responders need to know the difference between ***restricted*** and ***unrestricted*** reporting
  - DoDI 6495.02
  - AR 600-20, Appendix H: "Confidentiality/Restricted Reporting"

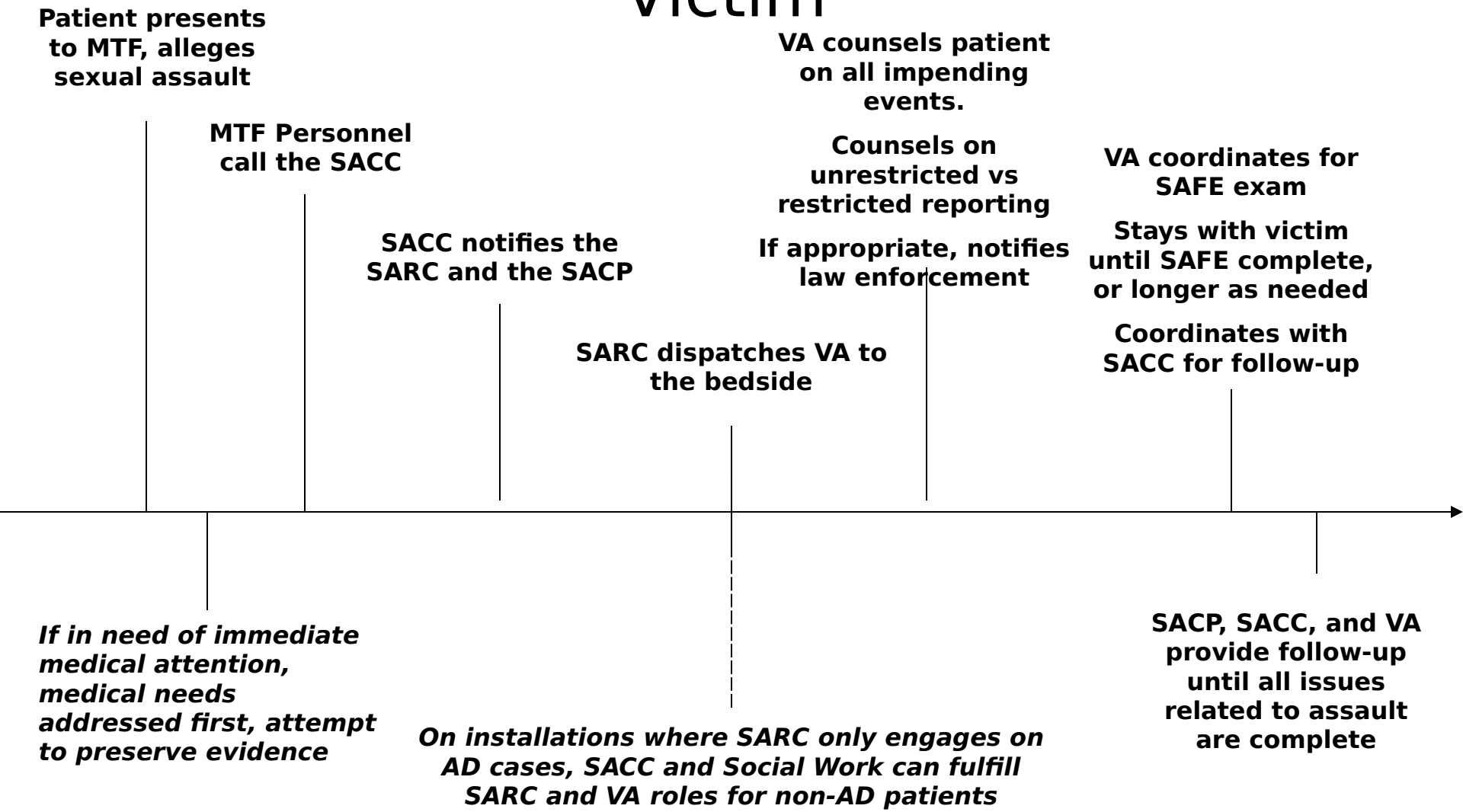
Review

- **Restricted Report**
  - Victim's choice
  - Must report assault to one of the following:
    - SARC
    - Victim advocate
    - Healthcare provider
    - Chaplain
  - Victim has access to medical treatment, SAFE, counseling, victim advocacy
  - Does not trigger investigation
- **Unrestricted Report**
  - Victim's choice
  - Allows investigation process to begin
  - Law enforcement and command structure are notified
  - Victim has access to medical treatment, SAFE, counseling, victim advocacy
  - Cannot change to Restricted reporting
  - Offender is held accountable

Sexual Assault
Victim Presentation

- All healthcare first responders need to know the sexual assault reporting procedures for incidents of reported sexual assault (see next slide)

Example of Response to Sexual Assault Victim


Patient presents to MTF, alleges sexual assault
MTF Personnel call the SACC
SACC notifies the SARC and the SACP
SARC dispatches VA to the bedside
VA counsels patient on all impending events.
Counsels on unrestricted vs restricted reporting
If appropriate, notifies law enforcement
VA coordinates for SAFE exam
Stays with victim until SAFE complete, or longer as needed
Coordinates with SACC for follow-up
If in need of immediate medical attention, medical needs addressed first, attempt to preserve evidence
On installations where SARC only engages on AD cases, SACC and Social Work can fulfill SARC and VA roles for non-AD patients
SACP, SACC, and VA provide follow-up until all issues related to assault are complete

Part Six

Sexual Assault Examination Process

Sexual Assault Examination Process

- **First,** evaluate and treat any emergent medical injuries
- Victim is then informed about the option of having a Sexual Assault Forensic Exam (SAFE)
  - SAFE is *best* when performed within 72 hours of assault in order to preserve evidence
  - SACP will determine forensic medical management if >72 hours since assault

(MEDCOM Reg 40-36)

Sexual Assault Examination Process

- Sexual Assault Forensic Examination (SAFE)
  - Performed by HCP with specialized education and clinical experience in the collection of forensic evidence and treatment of sexual assault victims
  - Installations without SAFE capability are responsible for transporting victim to a military facility or local non-military facility that has SAFE capability
    - Maintain MOU/MOA with local facility

Sexual Assault Examination Process

- Sexual Assault Forensic Examination (SAFE)
  - Includes:
    - Medical forensic history
    - Examination
    - Documentation of biological and physical findings
    - Collection of evidence from victim
    - Follow-up as needed to document additional evidence
  - If performed at MTF, use a SAFE kit and DD Form 2911

Sexual Assault Examination Process

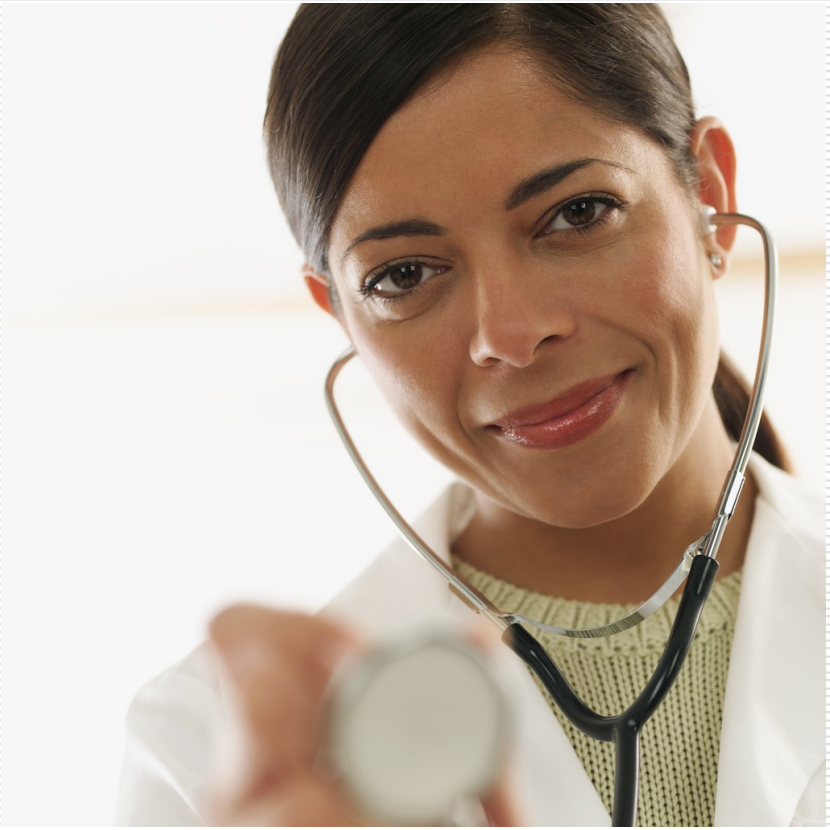
- More specific guidance for exam is found in MEDCOM Reg 40-36

- DD Form 2911 (Jun 2006), Forensic Medical Report: Sexual Assault Examination provides format for documentation

  http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm

Part Seven

Role of the Sexual Assault Clinical Provider



Sexual Assault Clinical Provider (SACP)

- A fully privileged health care provider on the MTF medical staff
- Collateral duty appointment
- Responsible for the primary medical management of all identified victims of sexual assault from initial contact to completion of their health care related to the sexual assault

Sexual Assault Clinical Provider (SACP)

- Ensures that the patient obtains comprehensive, timely, and appropriate medical care, including follow-up, relevant to medical conditions that result from the sexual assault

- Coordinates/collaborates with the SACC and installation agencies (e.g. CID), as needed

Sexual Assault Clinical Provider (SACP)

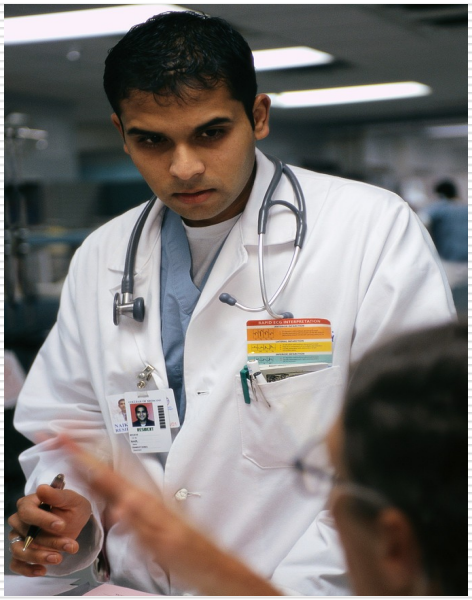
- Develops an individualized patient management care plan in collaboration with the patient and SACC

- Documents the patient's complete care and management

MEDCOM Reg 40-36

Sexual Assault Clinical Provider (SACP)

- GPRMC guidance on SACP duties:
  - The SACP becomes the sexual assault victim's primary care manager (PCM) until all issues related to the assault are closed *from the victim's perspective*



Part Eight

Role of the Sexual Assault Care Coordinator (SACC)

Sexual Assault Care Coordinator (SACC)

- Located at MTF; collateral duty appointment
- Monitor and track the health care management of each identified victim of sexual assault who presents to the MTF
- Collaborate and coordinate with the SACP to ensure the patient's health care needs are addressed for the duration of health care related to the sexual assault

Sexual Assault Care Coordinator (SACC)

- Collaborate and coordinate with the Victim Advocacy Program to facilitate resolution of related issues

- Facilitate the completion of the patient's comprehensive individualized care plan in a timely manner

Sexual Assault Care Coordinator (SACC)

- Maintain the requisite MTF commander database in order to manage sexual assault victims
- Directly responsible to MTF commander
- Explain advocacy and counseling services; assess acute stress reaction

MEDCOM Reg 40-36

Part Nine

Role of the Unit Victim Advocate

Unit Victim Advocate (UVA)

- NCO (SSG or higher), officer (1LT/CW2 or higher), or civilian (GS-9 or higher)
- Appointed and trained to perform collateral duties supporting victims of sexual assault
  - Crisis intervention
  - Referral
  - Ongoing non-clinical support

Unit Victim Advocate (UVA)

- Reports to and coordinates with SARC or designated installation victim advocate (IVA)
- Informs victim of option for restricted and unrestricted reporting
- Informs victim of options to use service providers (e.g. medical, legal, chaplain)
- Informs victim of available resources

Unit Victim Advocate (UVA)

- **Primary Responsibility**: At the victim's request, provides support to help the victim navigate the medical, investigative, and judicial process
  - Supports, assists and guides the victim through the process
  - **Does not** counsel the victim
  - **Does not** make decisions for the victim or speak for the victim

AR 600-20, Chapter 8

DoDI 6495.02

Part Ten

Additional Resources

Additional Resources

- U.S. Army Sexual Assault Prevention and Response Program
  - http://www.sexualassault.army.mil/
- United States Department of Defense Sexual Assault Prevention and Response
  - http://www.sapr.mil/
- Sexual Assault Prevention & Response Program on AKO (log into AKO, then click on link; or, type URL in address box and follow prompts to log into AKO)
  - https://www.us.army.mil/suite/page/148870

GPRMC SAPRP Training Coordinator

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  - 210-275-7304 (Cell)